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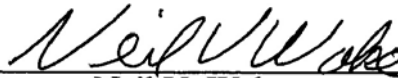
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1 IT IS FURTHER ORDERED that the Order of October 27, 2009, (doc. #65) is
2 vacated, and Defendant's Motion to Dismiss (doc. #64) is reinstated. Plaintiff shall file a
3 response to Defendant's Motion to Dismiss (doc. #64) by January 8, 2010, and Defendant
4 may file a reply within ten calendar days of the mailing of Plaintiff's response.

5 DATED this 22nd day of December, 2009.

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Neil V. Wake
United States District Judge